

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ELMORE

Serial No. 08/981,087

Filed: May 27, 1998

Title: TYPE F BOTULINUM TOXIN AND USE THEREOF

Atty Dkt. 124-688

C# M#

Group Art Unit: 1644

Examiner: Turner, S.

Date: June 16, 2000

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TC 1600 MAIL ROOM

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment 24 minus highest number
previously paid for 25 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 5 minus highest number
previously paid for 5 (at least 3) = 0 x \$ 78.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$260.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$380.00/2 months; \$870.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$690.00) \$ 0.00
☐ Please enter the previously unentered , filed
☐ Submission attached

☐ Request for Continued Examination pursuant to 37 C.F.R. § 1.114 (\$690.00) \$ 0.00
☐ Please enter the previously unentered , filed
or ☐ Required submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00
☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$240.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: B.J. Sadoff, Reg. No. 36,663

Signature: 



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For: TYPE F BOTULINUM TOXIN AND USE
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* * * * *

June 16, 2000

Assistant Commissioner for Patents
Washington, DC 20231

AMENDMENT

Sir:

Responsive to the Office Action dated March 16, 2000, entry and consideration of the following amendments and remarks are requested.

IN THE CLAIMS:

Amend the claims as follows.

Cancel claims 1 and claim 2, without prejudice.

3. (Three Times Amended) An isolated polypeptide [according to claim 2] comprising a sequence of amino acids corresponding to a fragment or a derivative of a heavy chain of a type F botulinum neurotoxin, which polypeptide is (a) free of botulinum toxin activity, (b) is free of